

# KENTUCKY

## STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) For FY 2015-2018

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### AMENDMENT #2014.004

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#### I. Proposed Action:

The Kentucky Transportation Cabinet (KYTC) hereby submits the attached resolution from the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments stating their approval of the FY 2016-2019 Transportation Improvement Program (TIP). The KYTC requests inclusion of the TIP in the KYTC's FY 2015-2018 Statewide Transportation Improvement Program (STIP).

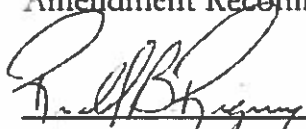
Location: Ohio-Kentucky-Indiana Metropolitan Area

#### II. Additional Remarks:

Attached is a copy of the Resolution, Self-Certification, Planning Finding, Conformity Determination, and Governor's Designee approval letter.

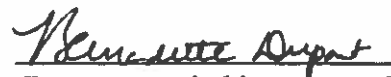
#### III. Amendment Approval:

Amendment Recommended for Approval:

  
Kentucky Transportation Cabinet      Date 7/20/15  
Ronald B. Rigney, Director  
Division of Program Management

Approval of STIP Amendment:

  
Federal Highway Administration      Date 7/21/2015

  
Recommended by      Date 7/21/15

# KENTUCKY

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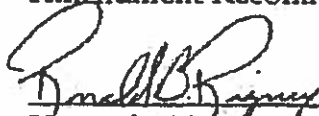
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Kentucky Transportation Cabinet      7/20/15      Date  
Ronald B. Rigney, Director  
Division of Program Management

Approval of STIP Amendment:

  
Federal Transit Administration      8-12-15      Date

**RESOLUTION**

**OF THE BOARD OF DIRECTORS OF THE  
OHIO-KENTUCKY-INDIANA REGIONAL COUNCIL OF GOVERNMENTS**

**CONCERNING ADOPTION OF THE  
FY 2016 – 2019 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AND THE  
DETERMINATION OF THE CONSISTENCY OF THE TRANSPORTATION IMPROVEMENT PROGRAM  
WITH AIR QUALITY CONFORMITY REGULATIONS**

**WHEREAS**, the Ohio-Kentucky-Indiana Regional Council of Governments ("OKI") is designated as the Metropolitan Planning Organization ("MPO") by the Governors of Ohio, Kentucky and Indiana acting through the Ohio Department of Transportation, the Kentucky Transportation Cabinet and the Indiana Department of Transportation, and in cooperation with locally elected officials for the counties of Butler, Clermont, Hamilton and Warren in the State of Ohio; Boone, Campbell and Kenton in the Commonwealth of Kentucky; and Dearborn County in Indiana; and

**WHEREAS**, the MPO has, pursuant to 49 U.S.C. 5323 (k), 23 U.S.C. 135, and 23 CFR 450.220, developed the OKI Fiscal Years 2016 – 2019 Transportation Improvement Program as a short-range element of the OKI 2040 Regional Transportation Plan (Metropolitan Transportation Plan); and

**WHEREAS**, the Ohio counties of Butler, Clermont, Hamilton and Warren; a portion of the Kentucky counties of Boone, Campbell and Kenton; and a portion of Dearborn County, Indiana have been classified as a nonattainment area for ozone; and the PM2.5 nonattainment area consists of the Ohio counties of Butler, Clermont, Hamilton and a portion of Warren; a portion of the Kentucky counties of Boone, Campbell and Kenton and are subject to transportation conformity rules; and

**WHEREAS**, the OKI Fiscal Years 2016 – 2019 Transportation Improvement Program includes several changes to the timing and scope of projects that are subject to transportation conformity requirements and have been previously listed in the OKI 2040 Regional Transportation Plan (Metropolitan Transportation Plan), as amended, and, due to those changes, a new conformity determination is required based on a new regional emissions analysis, and OKI has engaged in interagency consultation with federal, state and local partners, including the U.S. Department of Transportation, and those partners have concurred with the methodology used by OKI to determine conformity; and

**WHEREAS**, the OKI Fiscal Years 2016 – 2019 Transportation Improvement Program and OKI 2040 Regional Transportation Plan conform to all applicable U.S. Environmental Protection Agency (EPA) approved State Implementation Plans for air quality; and

**WHEREAS, the environmental justice impacts of these amendments have been identified and addressed as appropriate per Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low Income Population; and**

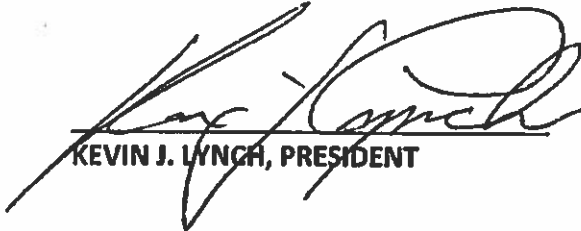
**WHEREAS, the OKI Fiscal Years 2016 – 2019 Transportation Improvement Program has met the requirements of OKI's Public Participation Process; and**

**WHEREAS, the OKI Fiscal Years 2016 – 2019 Transportation Improvement Program demonstrates fiscal constraint; and**

**WHEREAS, the OKI Fiscal Years 2016 – 2019 Transportation Improvement Program will become effective concurrent with US DOT approval of the Fiscal Years 2016 – 2019 State Transportation Improvement Programs for Ohio, Kentucky and Indiana: Now, therefore,**

**BE IT RESOLVED** that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments at its regular public meeting of April 9, 2015, hereby adopts the OKI Fiscal Years 2016 – 2019 Transportation Improvement Program as the short range element of the OKI 2040 Regional Transportation Plan for the counties of Butler, Clermont, Hamilton and Warren In the State of Ohio; Boone, Campbell and Kenton In the Commonwealth of Kentucky; and Dearborn County in Indiana, and recommends that its members incorporate these improvements into their planning for transportation improvements in their governmental units;

**BE IT FURTHER RESOLVED** that the Board of Directors of the Ohio-Kentucky-Indiana Regional Council of Governments hereby affirms the conformity between the OKI Fiscal Years 2016 – 2019 Transportation Improvement Program and the OKI 2040 Regional Transportation Plan and applicable EPA approved State Implementation Plans.



KEVIN J. LYNCH, PRESIDENT

4/9/15  
mrp

**TRANSPORTATION PLANNING PROCESS  
CERTIFICATION**

In accordance with 23 CFR 450.334, the Indiana Department of Transportation and the Ohio-Kentucky-Indiana Regional Council of Governments hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and 23 CFR part 450.300;
2. Sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the MAP-21 (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 C.F.R. part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37 and 38;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

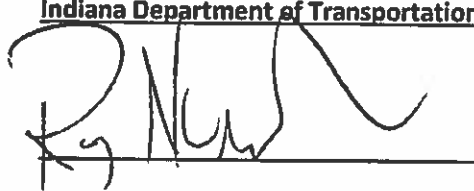
**Ohio-Kentucky-Indiana Regional  
Council of Governments**

  
Kevin J. Lynch

OKI President  
Title

4/9/15  
Date

**Indiana Department of Transportation**

  
Director

Title

4/14/15  
Date



U.S. Department  
of Transportation

Federal Transit Administration  
Region V  
200 West Adams St., Suite 320  
Chicago, IL 60606-5253  
312-353-2789  
312-888-0361 (fax)

Federal Highway Administration  
OH Division  
200 North High St., Room 328  
Columbus, OH 43215

July 1, 2015

Jerry Wray  
Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, OH 43223

Dear Director Wray:

This is in response to your letter dated May 1, 2015 regarding Ohio's 2016-2019 Statewide Transportation Improvement Program (STIP). This letter is the documented USDOT Planning Finding for Ohio's 2016-2019 STIP and provides approval of the 2016-2019 STIP.

In order to approve the STIP, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must make a determination that each metropolitan TIP incorporated into the STIP is based on a continuing, cooperative, and comprehensive (3-C) planning process and as necessary conforms to the applicable state implementation plan in accordance with the provisions of the Transportation Conformity Rule (40 CFR Parts 51 and 93). In addition, this Planning Finding is based upon the extent that all the projects in the STIP are the result of planning processes in accordance with provisions in U.S.C. 23 and U.S.C. 49.

The strengths of the statewide and metropolitan transportation planning processes have been identified as follows:


- The Ohio Department of Transportation (ODOT) has continued to improve STIP documentation that is accessible to the public.
- The state and MPOs have made advances in providing documentation in a timely manner.


Generally, no areas of the statewide and metropolitan transportation planning processes have been identified as failing to comply with federal law or regulation. However, the ODOT Title VI program and the ODOT American with Disabilities Act (ADA) Transition Plan have been identified as deficient which directly impacts the ODOT Planning process. Through ongoing communication between FHWA and the ODOT Division of Opportunity, Diversity and Inclusion, actions plans have been developed to address the deficient areas of the Title VI program and the ADA Transition Plan with expected completion of activities by December 2016. FHWA concurs with the timelines in the ODOT action plans and expects that all deficient areas identified in the two programs areas be addressed prior to the approval of the next STIP.

Based on our review of the information provided in the State's 2016-2019 STIP submittal we approve Ohio's 2016-2019 STIP.

If you have any questions, please contact Mr. Andy Johns, Planning Specialist, at [andy.johns@dot.gov](mailto:andy.johns@dot.gov) or 614-680-6896.

Sincerely,

  
for Marisol R. Simon  
Regional Administrator  
Federal Transit Administration

  
Laura S. Leffler  
Division Administrator  
Federal Highway Administration

By messenger (ODOT)



U.S. Department  
of Transportation

Federal Transit Administration  
Region V  
200 West Adams St., Suite 320  
Chicago, IL 60606-5253  
312-353-2789  
312-888-0351 (fax)

Federal Highway Administration  
OH Division  
200 North High St., Room 328  
Columbus, OH 43216

July 1, 2015

Jerry Wray  
Director  
Ohio Department of Transportation  
1980 West Broad Street  
Columbus, OH 43223


Dear Director Wray:


This is in response to your letter dated May 1, 2015 regarding requests for USDOT conformity determinations for each Ohio air quality area. We have completed our review of the conformity documentation to support the adoption of Resolution 2015-09 by the Ohio Kentucky Indiana (OKI) Regional Council of Governments. The conformity documentation includes analyses to demonstrate conformity for the 8-hour ozone and PM2.5 standards for the Cincinnati-Hamilton, Ohio area.

Based on our review, in consultation with the United States Environmental Protection Agency (EPA) and through coordination with the Kentucky and Indiana Divisions of FHWA, we find that the OKI 2016-2019 Transportation Improvement Program and 2040 Metropolitan Transportation Plan conform to the applicable state implementation plan in accordance with the provisions of the EPA's Transportation Conformity Rule (40 CFR Parts 51 and 93).

If you have any questions, please contact Mr. Andy Johns, Planning Specialist, at [andy.johns@dot.gov](mailto:andy.johns@dot.gov) or 614-680-6896.

Sincerely,

  
for Marisol R. Simon  
Regional Administrator  
Federal Transit Administration

  
Laura S. Leffler  
Division Administrator  
Federal Highway Administration

By messenger (ODOT)





**TRANSPORTATION CABINET**

Frankfort, Kentucky 40622  
[www.transportation.ky.gov/](http://www.transportation.ky.gov/)

**Steven L. Beshear**  
Governor

**Michael W. Hancock, P.E.**  
Secretary

July 6, 2015

Mr. Mark Policinski  
Chief Executive Officer  
OKI Regional Council of Governments  
720 Pete Rose Way  
Cincinnati OH 45202

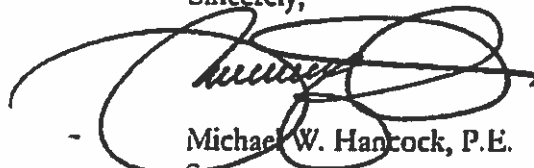
Dear Mr. Policinski:

The Kentucky Transportation Cabinet (KYTC) has reviewed the Cincinnati/Northern Kentucky Metropolitan Planning Organization FY 2016-2019 Transportation Improvement Program (TIP) for compliance with the metropolitan planning requirements included in the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21).

It is my pleasure to approve the Cincinnati/Northern Kentucky Metropolitan Planning Organization FY 2016-2019 TIP as the Designee of Governor Steve Beshear. KYTC will incorporate the new TIP by reference into Kentucky's FY 2015-2018 Statewide Transportation Improvement Program (STIP).

Please contact Beth Jones at (502) 782-5098 with any questions or concerns.

Sincerely,



- Michael W. Hancock, P.E.  
Secretary

MWH/BAJ/BSK

- c: John Moore, KYTC Director of Planning  
John Ballantyne, FHWA-KY Program Development Team Leader  
Kevin McClearn, HDO Chief District Engineer



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